

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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J.G. and J.G. on behalf of J.G.,

Plaintiffs,

-against-

**AFFIDAVIT
IN SUPPORT OF
MOTION TO DISMISS**

Index No. 07 cv. 7245
Judge Karas

BOARD OF EDUCATION OF THE
BRIARCLIFF MANOR UNION FREE
SCHOOL DISTRICT,

Defendant.

-----X


Lois Olivieri, being duly sworn deposes and says:

1. I am employed by the Briarcliff Manor Central School District as one of the secretaries in the main office of the Todd Elementary School.

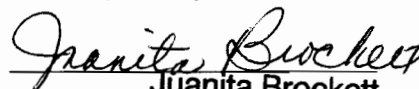
2. On August 27, 2007, when I arrived at work, the building custodian, Angelo Zavaglia, handed me a stack of papers. The document was a 68 page document entitled "Summons in a Civil Case" with the case number "07 cv 7245" and he stated "I don't think this should be out here."

3. I placed the document on Karen Gisondi's desk who is the secretary to the Principal at Todd Elementary school.

4. When I left the building on August 24, 2007, at 12:30 noon, there were no documents in the hall, or wedged in the office doors.


Lois Olivieri

Sworn to before me this
11th day of September 2007


Juanita Brockett
Commission No. 01BR6101210
State of New York
County Rockland
Expiration Date: Nov. 10, 2007